

City of Seal Beach



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December 13, 2005

Angela Reynolds, Environmental Officer
City of Long Beach
Planning and Building
333 West Ocean Boulevard
Long Beach, CA 90802

Dear Ms. Reynolds:

SUBJECT: CITY OF SEAL BEACH COMMENTS RE: "DRAFT ENVIRONMENTAL IMPACT REPORT 37-03 – LONG BEACH AIRPORT TERMINAL IMPROVEMENT PROJECT (SCH NO. 200309112)"

The City of Seal Beach has reviewed the above referenced Draft Environmental Impact Report (DEIR) and has several general comments and observations relative to the document, which are set forth below.

The concerns of the City of Seal Beach are heightened upon our review of a recent study released by the State of California Air Resources Board titled "*2005 Draft Diesel Particulate Matter Exposure Assessment Study for the Ports of Los Angeles and Long Beach*" ("the ARB Report"). Due to significant health risks identified within the ARB Report from existing diesel particulate emission from both the Ports of Los Angeles and Long Beach, and the regional impacts of those identified air emissions, it is requested that a supplemental analysis of air quality impacts throughout the subject document be prepared and re-distributed to all interested parties for review and provision of comments prior to closing the public review and comment period on the DEIR and the preparation of the Final EIR for this project. This analysis needs to also consider the cumulative impacts of this project and the "*Draft EIS/EIR – Long Beach LNG Import Project (SCH No. 2003091130)*", and the cumulative projects identified in both of these environmental documents.

The ARB Report contains on page 2 and 3 the following key findings that should cause all parties involved with this project to re-evaluate the impacts of additional diesel particulate matter emissions upon the region:

"The key findings from this study are:

- ☐ Diesel PM emissions from the ports are a major contributor to diesel PM in the South Coast Air Basin.

The combined diesel PM emissions from the ports are estimated to be about 1,760 tons per year in 2002. This represents a significant component of the regional diesel PM emissions for the South Coast Air Basin (SCAB) at about 21 percent of the total SCAB diesel PM emissions in 2002. Focusing only on diesel PM emissions occurring on port property or within California Coastal Waters (CCW), the emissions from ship activities (transiting, maneuvering, and hotelling) account for the largest percentage of emissions at about 73 percent, followed by cargo handling equipment (10 %), commercial harbor craft vessels (14%), in-port heavy duty trucks (2%), and in-port locomotives (1%).

- ☐ Diesel PM emissions from the ports impact a large area and the associated potential health risks are of significant concern.

Diesel PM emissions from the ports result in elevated cancer risk levels over the entire 20-mile by 20-mile study area. In areas near the port boundaries, potential cancer risk levels exceed 500 in a million. As you move away from the ports, the potential cancer risk levels decrease but continue to exceed 50 in a million for more than 15 miles.

Primary diesel PM emissions from the ports also result in potential non-cancer health impacts within the modeling receptor domain. The non-cancer health effects evaluated include premature death, asthma attacks, work loss days, and minor restricted activity days. Based on this study, average numbers of cases per year that would be expected in the modeling area have been estimated as follows:

- ☐ 29 premature deaths (for ages 30 and older), 14 to 43 deaths as 95% confidence interval (CI);
 - ☐ 750 asthma attacks, 180 to 1300 as 95% CI;
 - ☐ 6,600 days of work loss (for ages 18-65), 5,600 to 7,600 as 95% CI;
 - ☐ 35,000 minor restricted activity days (for ages 18-65), 28,000 to 41,000 as 95% CI.
- ☐ "Hotelling" emissions from ocean-going vessel auxiliary engines and emissions from cargo handling equipment are the primary contributors to the higher pollution related health risks near the ports.

Hotelling emissions from ocean-going vessels account for about 20 percent of the total diesel PM emissions from the ports. These emissions are responsible for about 34 percent of the port emissions related risk in the modeling receptor domain based on the population-weighted average risk. These emissions resulted in the largest area (2,036 acres) where the potential cancer risk levels were greater than 200 in a million in the nearby communities. The second highest category contributing to cancer risk levels above 200 in a million was cargo handling equipment, which impacted a residential area of 410 acres and is responsible for about 20 percent of the total risk in the modeling receptor domain based on the population-weighted average risk. Reducing emissions from these two categories will have the most dramatic effect on reducing the port emissions related risks in nearby communities.

- Emissions from commercial harbor craft, in-port trucks, in-port rail, and ocean-going vessels (transit and maneuvering activities) account for a much smaller percentage of the near source risk, but are an important contributor to elevated cancer risk levels over a very large area.

Emissions from commercial harbor craft, on-port trucks, on-port rail, and ocean going vessels (maneuvering and transit activities) account for about 70 percent of the total diesel PM emissions for the ports. While emissions from these source categories do not have a major role in the near port risk levels, they are significant contributors to the overall elevated risk levels in the study area. Addressing the emissions from these sources is critical if we are to significantly reduce the exposure of a large population (over 2 million people) to cancer risk levels in the 50 in a million range.”¹

Comments and Concerns re: Section 3.2, Air Quality and Human Health Risk Assessment:

Revised Analysis is Required in Light of New and Significant Air Quality Information Not Available at time of Preparation of Draft EIR:

As stated above in our comments, it is the position of Seal Beach that a revised “Air Quality” analysis must be prepared and re-circulated for public review and comments due to the release by the Air Resources Board of the referenced “2005 Draft Diesel Particulate Matter Exposure Assessment Study for the Ports of Los Angeles and Long Beach”. This document sets forth significant new information regarding impacts upon “Air Quality” and “Hazards” that are not discussed, evaluated, and proposed for

¹ “2005 Draft Diesel Particulate Matter Exposure Assessment Study for the Ports of Los Angeles and Long Beach”, State of California Air Resources Board, Page 2 and 3.

mitigation under the current DEIR document. The “Human Health Risk Assessment” portion of this section of the DEIR should also be revised and updated as appropriate, based on a review and evaluation of the conclusions and documentation in the ARB Report. This is particularly important since the DEIR indicates that PM₁₀ emissions will remain significant after imposition of all proposed mitigation measures (Section 3.2.4, page 3.2-58)

Comments and Concerns re: Section 3.6, Noise:

The City recognizes that the DEIR presents SENEL levels based on the anticipated number of flight operations, and the resulting CNEL and SENEL noise contours, based on the projected number of flights that could be added without airlines or commuters exceeding their allocated portion of the Community Noise Equivalent Level (CNEL) noise budget based on the baseline year of 1989 to 1990, not just the minimum number of flights permitted by the appropriate settlement agreements and the provisions of Chapter 16.43 of the Long Beach Municipal Code.

Exhibit 3.6-10a, “A320, B727, B757-300 and B767-300 Arrival SEL Contour” clearly indicates portions of Leisure World are impacted by the arrival of all identified types of aircraft except for the A-320 and are within the 85-90 dBA noise contours. The DEIR states on page 3.6-16 that:

“A SENEL of 90 dBA would produce a maximum noise level of approximately 80 dBA outdoors, directly under the flight path. The indoor maximum noise level for such a flight would be approximately 68 dBA for a home directly under the flight path. The purpose of showing the 85 and 90 SENEL contours is to provide a comparison of the noise levels generated by different aircraft types.”

A review of the October 11, 2005 “Noise Budget Calculations for Budget Year October 1, 2004 to September 30, 2005 indicates that the established noise budget for RMT Location 10, the arrival noise monitoring station for enforcement of the Long Beach Airport noise regulations is within the stipulated “noise budget”.

As indicated in our previous comment letters on the “Notice of Preparation” for this project, during several of our City Council meetings concerns have been raised by City Council members and the general public regarding the perceived variances from the approved flight paths for flights descending into Long Beach Airport, and the low level of many of those flight operations. There is a concern that the enforcement of the existing flight approach patterns are not monitored and enforced rigorously enough by the Airport. The City has received complaints from the residents regarding the noise impacts of these perceived deviations of the allowable arrival flight patterns. The City has also received comments that airport responses have not been timely nor have adequately addressed concerns, requiring additional follow up by City staff.

The City of Seal Beach is extremely disappointed that the DEIR does not present a clear and thorough presentation of information regarding the number of arriving flights that deviate from the approved approach patterns, both vertically and horizontally. The DEIR document needs to be revised to clearly indicate those flight pattern deviations and to then clearly establish the resulting noise levels that may be generated by such deviations from the flight patterns, and determine if there are exceedences of the CNEL and SENEL provisions of Chapter 16.43 of the Long Beach Municipal Code in those instances. The City of Seal Beach recognizes that the DEIR includes requested information as to the locations of the current noise monitoring stations, but again is disappointed that the DEIR does not include an evaluation as to the necessity of establishing additional noise monitoring locations within the City of Seal Beach to ensure full and complete compliance with the provisions of the appropriate settlement agreements and the provisions of Chapter 16.43 of the Long Beach Municipal Code.

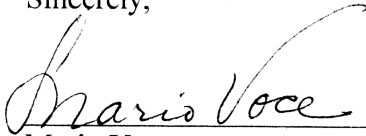
In our April 2005 comment letter regarding the NOP for this project the City further requested that the DEIR provide an “Air Carrier Arrivals Crossing Seal Beach” and a “Penetration Gate Plot” analysis similar to that provided within the “Long Beach Airport Brief – Huntington Beach Presentation”, dated July 31, 2003 for the appropriate “gate plot” locations either within Seal Beach or the closest applicable gate plot locations to our city boundaries. Again, this requested information has not been provided within the DEIR, and we again request that this information be provided to allow for full disclosure and a better understanding of the existing impacts of such flight deviations on the noise environment in Seal Beach, and particularly within the Leisure World retirement community, which experiences the SENEL levels of between 85 and 90 dBA.

The Environmental Quality Control Board considered and discussed this DEIR on November 30, 2005 and the City Council considered and discussed the DEIR on December 12, 2005 and authorized the Chairman and Mayor, respectively, to sign this letter, representing the official comments of the City of Seal Beach.

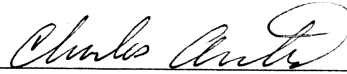
Thank you for your consideration of the comments of the City of Seal Beach. Please do not hesitate to contact Mr. Lee Whittenberg, Director of Development Services, City Hall, 211 Eighth Street, Seal Beach, 90740, telephone (562) 431-2527, extension 313, or by e-mail at lwhittenberg@ci.seal-beach.ca.us if you have any questions regarding this matter.

We look forward to reviewing and commenting on a revised DEIR that reflects our concerns and comments on this version of such an environmental disclosure document.

Sincerely,



Mario Voce
Chairman, EQCB



Charles Antos
Mayor, City of Seal Beach

Distribution:

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Seal Beach Environmental Quality Control Board

Seal Beach Planning Commission

City Manager

Director of Development Services

Golden Rain Foundation
Attn: Bill Narang